

eyes of some students and of some potential employers of law graduates, a definite 'pecking order'. At present this seems to be based on prejudice and tradition rather than quality of education activity. There is almost certainly room within Australia for different types of law schools, offering different types of programs of study. There is, however, a general consensus among law teachers, and the better-informed practitioners, that the full-time study of law has decided advantages. The experience of the Australian law schools and their students is that, with some notable exceptions, part-time law teaching is not entirely successful. Part-time law teachers, who are usually busy solicitors and barristers, must give priority to the interests of their practices and their clients over the interests of their students and their teaching. Because they often have insufficient time for thought and reflection, the content of what they teach is seldom innovative or intellectually challenging, to the educational detriment of their students and to the long-term disadvantage of the community. Part-time students, and, in my experience, especially external students, require special educational techniques if the students' experience is to be worthwhile. Material must be presented in a way that stimulates thought and reflection on the part of the student, as well as the development of the necessary technical and intellectual skills. To the greatest extent possible, students must be given the opportunity to develop the techniques of oral and written presentation, and of listening. A student whose studies are part-time can certainly gain a great deal from study, but it is unreasonable to expect the same value from a part-time education if the teaching is not designed to assist the part-time students to overcome the special difficulties which they face. Because many academic law teachers feel that the teaching of full-time internal students places sufficient demands on them, when the institutional environment in which they

work, and, indeed, the conditions of their employment, require them to undertake research as well as their teaching duties, they are disinclined to devote a great deal of effort to devising strategies which will enable them to assist part-time students. This is one reason why several law schools have actively discouraged part-time study of law, though the main reason given is usually the perceived superior quality of full-time, internal study. That reason is only partly valid. Effective part-time or distance study requires committed teachers prepared to develop special teaching methods, if part-time and distance education are not to become markedly inferior to full-time studies. Ideally, where materials are developed for both full-time and part-time students, there can be very beneficial effects for both groups, as the experience of course design at Macquarie has proved. Perhaps there is a case for a full and detailed evaluation of part-time and external law courses (including the professional courses offered by the courts), which could reflect on these courses and suggest ways in which they could be improved.

The fact is that full-time study cannot be a reality for a significant group of Australians. What must be done is to ensure that the educational experience of the part-time and external law students is not significantly worse than that of the full-time students. To do otherwise would be to increase the disparity which already exists between those who are able to gain admission to law courses and those who are forced, for any of the reasons that have been mentioned, to study in the part-time or distance modes. It would seem that the resources available to NSWIT and Macquarie must be adequate for this purpose; that, if government policies of increasing participation and equity are to be taken seriously, further opportunities for part-time and distance study of law should be provided which are not markedly inferior in quality to the education provided in full-time courses, and that

other courses such as the JEB/Law Extension Committee courses should be provided with adequate full-time teachers and examiners.

Traditionally, it has been accepted that the study of law has been a path for upward social mobility in Australia. It appears that, in the case of full-time study, this is not, and has not for some time been, the case for a significant number of law students. Law students in full-time courses remain an affluent and privileged group.

References

1. Professor and Head of the School of Law, Macquarie University, North Ryde, Australia. The research which led to this paper was made possible by a project grant from the Law Foundation of New South Wales, which enabled me to make use of the Statistics Laboratory of the School of Economic and Financial Studies in the University. Ms Elaine Beller of that Laboratory provided invaluable help in collating and processing the data.
2. Some, but not all the information gathered in this survey is reported in J. Goldring, 'Admission to Law Schools in Australia', *Vestes*, 20, 1977, p. 61, and in J. Goldring, 'Admissions Policy' in Law Council of Australia Foundation, *Legal Education in Australia*, Vol. 1 (Melbourne, 1978), 47.
3. Results published in 'Social Profiles of Students in Four Professions', *Quarterly Review of Australian Education*, No. 3, 1970.
4. A. Daniel, *Power, Privilege and Prestige*, Melbourne, Longman Cheshire (1983), 1966ff.
5. See text at n.4 above.
6. R.W. Connell, et al, *Making the Difference*, Allen & Unwin, Sydney, 1982.
7. D.S. Anderson and A. Vervoorn, *Access to Privilege*, ANU Press, Canberra, 1983.
8. R. Stevens, *Law School*, University of North Carolina Press, Chapel Hill, N.C., 1983.

The Johnson-Hinton Report on Continuing Education: Some implications for higher education

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A. Introduction

As the first Commonwealth government sponsored review since 1944,¹ the Johnson and Hinton Report² is a milestone for continuing education. In part, this review was initiated to overcome the paucity of data on adult and continuing education. More importantly, the Commonwealth Tertiary Education Commission (CTEC) has come to recognise that continuing education could have a role in relation to a major government priority — increasing access. Hence, the CTC³ saw the need for a 'coherent policy' in this area and commissioned a review from Johnson and Hinton as the first stage in refining policy. This paper briefly reviews the main features of the report as it relates to the broad spectrum of adult and continuing education ranging from the various informal community programs to the tertiary sector. It then discusses in more detail the likely implications for higher education institutions.

In assessing the reports of government educational enquiries it is important to place them in their political and economic context. For example, the Murray⁴ and Martin⁵ Reports, written during the period of expansion in the 50s and 60s, were both visionary reports which inspired confidence in the value of higher education. These two reports contrast with the more conservative, more restrained Williams Report,⁶ written during the first part of the period of economic downturn. Similarly the present report has been prepared in a time of severe economic stringency and its tone contrasts with the buoyant recurrent education policy of the Kangan⁷ and Richardson⁸ Reports of the mid 70s. A parallel change in the emphasis and value placed on continuing education as a reflection of the changing political and economic situation has also been reported in the English scene⁹.

B. Main features of the Report

Given the restrictions on time and finance and the lack of previous research to build upon, this review entitled, *It's Human Nature*, is necessarily descriptive rather than analytical. The review was constrained to use 'impressionistic' data collection methods which limited it to a 'descriptive essay' of the field of adult and continuing education. The review also makes some suggestions for immediate action, touches upon some current needs and issues, identifies research priorities, and reaffirms past CTC policy in this area.

The prime focus of the review is on disadvantaged groups. Continuing education, particularly in the community and within Stream 6 of Technical and Further Education (TAFE), is portrayed as the major means of providing disadvantaged groups with a second chance to enter the main stream of formal tertiary education. There is particular emphasis on women, who are described as 'almost owning' the field and can be seen as disadvantaged not only as students but also as teachers and administrators. The other major emphasis is on illiteracy and the report repeatedly asserts the need for continuing education programs to redress this situation.

The review acknowledges that it is, and had to be, somewhat restrictive in its description of continuing education provision. For example, commercial providers of continuing education, provision by industry and professional associations, and the continuing education function of various social groups have not been investigated. It has also not addressed in detail the role of universities and colleges of advanced education (CAEs) in continuing education, the extent of their provision of courses nor the rationale for their recent internal reviews and reductions in their involvement. In relation to higher education the report does not go beyond a reiteration of existing CTC policy on continuing education. Thus, there has

been little progress in overcoming inconsistencies, anomalies and limitations in the scope of this policy. Perhaps the major anomaly is that students may obtain certain sets of knowledge and skill by either enrolling in an award course or enrolling in a fee-generating non-award course designated as 'continuing education'. Johnson and Hinton recognise this anomaly, but only discuss it in the context of TAFE Stream 6 fee-generating courses which may also be offered in Streams 1-5 as part of a free award program. Another need for developing a more coherent policy is the divergent requirements of general interest adult education and professional continuing education and the interface between the latter and the continuing education nature of masters' coursework degrees.

The review concludes with a number of suggestions which, if acted upon by the CTC and the government, would make a useful contribution to improving the provision and standing of continuing education in Australia. There are suggestions in seven major areas:

1. The establishment of national goals and policies:

It is proposed that the Australian Education Council consider the best way to organise the establishment of national goals with particular emphasis on vocational continuing education, literacy and basic education provision. This suggestion to involve the Australian Educational Council is a sensible one. Much of the current lack of coherence and ad hoc nature of the CTC policy, both for continuing education and more generally for tertiary education derive from the lack of clearly articulated and prioritised goals in government policy. The tendency of the Commonwealth to take upon itself the determination of national policy for tertiary education would be particularly detrimental if repeated for such a decentralised enterprise as continuing education which relies heavily on local initiative. Even the Australian Education Council

would need to take into account the dangers of stifling such local initiative in a search for a coherent national policy.

2. No fees for the unwaged:

The review reaffirms current funding policy, believing it to be fair and reasonable. It is suggested that institutions be funded to cover fully the salary costs of professional planning and co-ordination, but that fees cover any direct costs in providing courses. The exception would be for the unwaged, more particularly those undertaking bridging and basic education courses. This is indeed a progressive education and social policy that deserves close consideration by the CTEC. However, its successful implementation would require direct government funding of places for the unwaged, since none of the institutions have the resources to subsidise such places.

3. Consolidation of current CTEC policy for higher education institutions:

Three major thrusts of current policy are reinforced:

— all institutions funded by the CTEC are expected to engage in continuing education

— institutions have a responsibility to their graduates, particularly in the area of professional updating. Johnson and Hinton argue that institutions should base future planning on the assumption that graduates will require professional continuing education

— academics should regard teaching continuing education courses part of their normal duties and Johnson and Hinton suggest that institutions should include such involvement in promotion and reward policies.

The only new suggestion is that institutions should consider allowing continuing education students to audit award courses. The extent to which auditing can serve the needs of continuing education students is a major issue for consideration by the institutions and some of the ramifications of such a policy are discussed later in the paper.

4. Provision of professional preparation for continuing educators:

There are currently very few courses for the professional preparation of continuing educators. In recognition of this the report recommends development of such courses. This proposal could be readily implemented using the excess capacity in some university and college schools of education. Those with the relevant expertise could be assisted to re-orient themselves towards this need.

5. Implementation of the Horton Committee Report:

This inquiry into public libraries was released in 1976 but its recommendations, including the involvement of public libraries in continuing education, have never been adopted. If this proposal were implemented it would contribute to a better integration of formal and non-formal agencies which is an essential prerequisite for the development of a learning society.

6. Establishment of a national network for distance continuing education:

It is suggested that much could be gained from the adoption of distance education techniques and thereby extend access. Expanded and nationally-coordinated provision of continuing education in the distance mode would be a cost-effective means of increasing access, particularly for those disadvantaged by geography, family commitments or physical disability. Some institutions already have organisational structures appropriate for such integration (for example, The University of Queensland, The Darling Downs Institute of Advanced Education and Mitchell CAE).

7. Priorities for future research:

Johnson and Hinton have added their weight to the persistent calls for a better data base for planning by suggesting the following research needs:

- a national survey on the extent and nature of adult education experience
- a socio-economic survey of current and potential students
- the extent to which non-award courses lead to award courses
- a study of continuing education provision in industry
- a study of professional continuing education
- a study of needs for the professional preparation of adult educators
- the establishment of a national catalogue of educational materials
- the formation of small local working parties to investigate integrated support strategies for the disadvantaged covering the areas of education, health, welfare and employment.

C. Implications for higher education institutions

Since the major thrust of the Johnson and Hinton Report is directed towards community-based continuing education, it has few direct implications for higher education institutions. With the exception of the recommendation for award course auditing, the report does not depart from the policy stated in the CTEC triennial reports for 1982-84 and 1984-87. This, together with the heavy emphasis on access, disadvantage, TAFE and communi-

ty education, will probably mean that the universities and CAEs will see the review as fairly conservative and politically pragmatic.

In contrast to the Kangan and Richardson Reports, this review lacks a strong theoretical rationale for continuing education. Unfortunately this is reflected in a lack of concern with the different meanings and ideologies associated with the terms 'adult education' and 'continuing education'. Australian universities, following the English model have a long tradition in adult education, but the question of how universities and CAEs can continue to play a useful role in this area is not clarified. The review does not examine present educational or administrative barriers to expanding continuing education provision or why many universities are beginning to decrease their involvement. The artificial distinction between the continuing education nature of many award courses, particularly coursework masters and similar fee-charging non-award courses, is also not explored.

The report suggests that the CTEC revise its current policy and allow auditing of award courses by fee-paying continuing education students. However, auditing is unlikely to improve the provision of continuing education courses in universities and CAEs. The proposal raises the following questions:

1. How is the fee to cover the cost of auditing to be determined?
2. Will the level of fees be prohibitive for many students, thus limiting access?
3. Are lectures in award courses appropriate for continuing education students with regard to content and method of teaching?
4. Would it be feasible to deny students retrospective credit for, or at least exemption from, subjects with similar content undertaken later as part of an award course?
5. Given the current unmet demand for higher education places, how many continuing education students can be catered for?
6. Will these students be calculated in the institutional load?
7. Will staff be able to cope with the extra workload that auditing will impose on top of their already eroded conditions?

One important issue which does not receive sufficient attention in the report is the marginality of continuing education in universities and CAEs. This marginality inhibits the expansion of continuing education. Merely exhorting institutions to engage in continuing education appropriate to their intellectual level, to make it central to their teaching activity, and to take continuing education involvement into account in staff promotion, is not a sufficient response to this problem.

The reasons for continuing education's marginal place in higher education require more detailed investigation. Cohen,¹⁰ in a submission on the draft of this report, suggests that the CTEC's continued scolding of institutions for treating continuing education as a peripheral activity could be replaced by a statutory requirement for institutions to provide adult and continuing education based on the British model. Cohen believes this requirement would be a more positive step and would give institutions a focus for providing such education. This proposal deserves consideration, although the benefits would have to be weighed against the costs of further isolation of continuing education into limited enclaves within institutions and the more general issues of their autonomy and capacity to react appropriately to local need.

The suggestion that continuing education involvement by academics count for promotion seems somewhat unrealistic, given the low weight accorded to award teaching and administrative duties in comparison to research activity. A more positive approach would be to concentrate on reducing the marginality of continuing education, especially in the professional category, by bringing continuing education involvement closer to the core of academic activity. Toombs, Lindsay and Hettinger¹¹ investigated staff acceptance of professional continuing education in the United States and concluded that for professional continuing education to achieve approval and status it was essential for staff to see that participation in continuing education provided the opportunity for joint publication with professionals, collaborative research and external as well as internal recognition. In addition, academics will be unlikely to consider continuing education courses as central to their teaching activities unless continuing education students are weighted in an institution's student load. The CTEC¹² has already claimed that 'the administrative load involved in such a quantification would be substantial' and that for this to happen it 'would require a major policy change on the part of the government'. The review's silence on this issue is somewhat disturbing and suggests that administrative ease may have been given precedence over educational objectives.

The suggestion that the unwaged should not need to pay for continuing education will no doubt be welcomed by many continuing education practitioners. It is not entirely clear from the review to what extent higher education institutions are included in this fee exemption. If it only entitles the unwaged to basic education and not general and professional continuing education in universities and CAEs then the needs of a significant proportion of the unwaged will be neglected.

Finally, the review suggests greater provision of professional training for continuing education practitioners. Although not new¹³ this suggestion is a timely one. The questions here are: what role are higher education institutions to play and what extra support are they to be given? Currently the provisions for professional preparation for continuing educators are quite limited. A small number of higher education institutions offer specialist degrees or diplomas and some others have relevant offerings within their range of courses in education. With encouragement these institutions could extend and upgrade their provision. This would provide a growth area for these schools of education at a time when demand for school-level teacher education is depressed.

D. Conclusion

Continuing education can make a major contribution to both individual and social prosperity. It has been overlooked by policy makers for far too long. Hence this report is both appropriate and timely.

The main strengths of this review are its concern for establishing national goals; better preparation for continuing education practitioners; the needs of the disadvantaged, especially the unwaged; and for reducing anomalies in the designation of courses. The report could have made a greater contribution by developing a stronger theoretical rationale; addressing the sources of continuing education's marginality in higher education; and more directly contributing to a coherent and appropriate government policy on continuing education. While the report may be welcomed by community-based educators it is likely to be seen in higher education institutions as politically safe and conservative. Nevertheless, the report should be welcomed as a step forward by all those

who value continuing education. It is to be hoped that the CTEC and the Federal Government act on the initiatives suggested in this report.

References and notes

1. D. Whitelock (Ed.), *The Vision Splendid*, The First Publication of Dr W.G.K. Duncan's Report on Adult Education in Australia, 1944, Department of Adult Education, The University of Adelaide, 1973.
2. R. Johnson and F. Hinton, *It's Human Nature* Non-Award Adult and Continuing Education in Australia, a discussion paper prepared for the consideration of the Commonwealth Tertiary Education Commission, AGPS, Canberra, 1986.
3. Commonwealth Tertiary Education Commission, *Report for 1985-87 Triennium*, Volume 1, Part 1, Recommendations on Guidelines, AGPS, Canberra, 1984.
4. K. Murray (Chairman), *Report of the Committee on Australian Universities*, Government Printer, Canberra, 1957.
5. L. Martin (Chairman), *Tertiary Education in Australia*, Report of the Committee on the Future of Tertiary Education to the Australian Universities Commission, Government Printer, Canberra, 1964.
6. B. Williams (Chairman), *Education, Training and Employment*, Report of the Committee of Inquiry into Education and Training, AGPS, Canberra, 1979.
7. M. Kangan (Chairman), *TAFE in Australia*, Report of the Australian Committee on Technical and Further Education, AGPS, Canberra, 1974.
8. E. Richardson (Chairman), *TAFE in Australia*, Second Report on Needs in Technical and Further Education, AGPS, Canberra, 1975.
9. M.D. Stephens, 'Extra-Mural Studies in England', in *Education Today*, 35, 2, 1985, pp. 46-53.
10. G. Cohen, 'Submission on the Draft Report on Adult and Continuing Education in Australia', Unpublished paper, Macquarie University, Sydney, 1985.
11. W. Toombs, C. Lindsay, and G. Hettinger, 'Modifying Faculty Roles to Institutionalize Continuing Professional Education', in *Research in Higher Education*, 22, 1, 1985, pp. 93-109.
12. Commonwealth Tertiary Education Commission, *Report for 1982-84 Triennium*, Volume 1, Part 1, Recommendations on Guidelines, AGPS, Canberra, 1981.
13. See for example R. Bagnall, 'Adult Education Research in Australia: The Harsh Reality', Paper presented to the N.S.W. Institute for Educational Research, Sydney, 1982.